



IC06 Rec'd PCT/PTO 26 AUG 2005

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of ) Atty's Dkt: BIKHOVSKY2  
David BIKHOVSKY ) Application Division  
Serial No. 10/518,022 ) **ATTN: PCT**  
IA Filing Date: June 19, 2003 ) Washington, D.C.  
For: ELECTRICAL HEATING DEVICE, PARTICULARLY... ) Confirmation No.: 5001  
Date: August 26, 2005

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building, Mail Stop Missing Parts  
401 Dulany Street  
Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated June 30, 2005. Attached hereto is/are:

- [XX] Two (2) declarations in compliance with 37 C.F.R. 1.63, identifying the present application by title, PCT information, and priority information.
- [ ] A Preliminary Amendment [ ] Fees are reduced due to elimination of multiple dependency
- [ ] Preliminary Amendment and Statements in Support of Filing and Submissions in Accordance with 37 C.F.R. 1.821-1.825, Sequence Listing (hardcopy), and computer-readable form of Sequence Listing.
- [XX] An Information Disclosure Statement with 08A-1449 and 11 references.
- [ ] Application Data Sheet.
- [XX] Applicant claims small entity status. See 37 C.F.R. 1.27
- [ ] An exact English language translation of the PCT application as originally filed.
- [ ] Exact English language translation of the Annexes to the International Preliminary Examination Report containing substitute pages \_\_\_\_ of the specification and new claims \_\_\_\_ to be used for examination.
- [ ] English translation surcharge in the amount of: \$ 130.00
- [XX] Surcharge for late filing of the Declaration in the amount of:
- | Small Entity | Other than Small Entity |
|--------------|-------------------------|
| [XX] \$65.00 | [ ] \$130.00            |
- [ ] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:
- | Small Entity           | Other Than Small Entity |
|------------------------|-------------------------|
| Response Filed Within  | Response Filed Within   |
| [ ] First - \$ 60.00   | [ ] First - \$ 120.00   |
| [ ] Second - \$ 225.00 | [ ] Second - \$ 450.00  |
| [ ] Third - \$ 510.00  | [ ] Third - \$1,020.00  |
| [ ] Fourth - \$ 795.00 | [ ] Fourth - \$1,590.00 |
| [ ] Fifth - \$1,080.00 | [ ] Fifth - \$2,160.00  |
- month after time period set
- [XX] Total Fees enclosed: \$65.00
- [XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$65.00 is enclosed to cover the above fees.
- [XX] Conditional Petition for Extension of Time:  
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

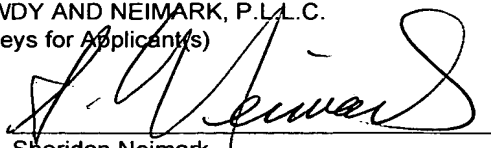
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BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

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Sheridan Neimark  
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SN:ses

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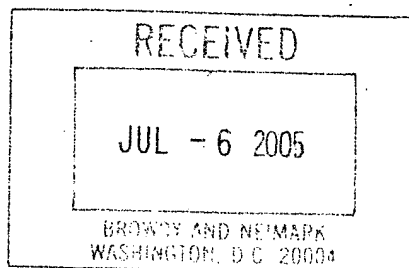
## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/518,022                  | David Bikhovsky       | BIKHOVSKY2 ✓     |

|                               |
|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
| PCT/IL03/00520                |

001444  
 BROWDY AND NEIMARK, P.L.L.C.  
 624 NINTH STREET, NW  
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|                  |               |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 06/19/2003       | 06/18/2002    |

CONFIRMATION NO. 5001  
 371 FORMALITIES LETTER



\*OC000000016405185\*

Date Mailed: 06/30/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/15/2004
- Copy of the International Search Report filed on 12/15/2004
- Preliminary Amendments filed on 12/15/2004
- Request for Immediate Examination filed on 12/15/2004
- U.S. Basic National Fees filed on 12/15/2004
- Priority Documents filed on 12/15/2004

*MS #105 - 30 Aug 2005.*

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/518,022                  | PCT/IL03/00520                | BIKHOVSKY2       |

FORM PCT/DO/EO/905 (371 Formalities Notice)